IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.4911 of 2007

TUESDAY, THE FIFTH DAY OF JUNE TWO THOUSAND AND SEVEN

Between:

The College of Education, DNR College Association, represented by its Secretary And Correspondent Mr. V. Suryanarayana Raju, Bihmavaram, West Godavari District.

… Petitioner

And

National Council for Teacher Education, Southern Regional Committee, rep. by Its Regional Director, 1st Floor, CSD Building, HMT Post, Bangalore – 31.

… Respondent

Order:

Petitioner, a college of education, has filed this Writ Petition seeking Mandamus to declare the action of the respondent in not restoring the intake capacity of the students of its college from 125

to 160 as illegal and arbitrary.

The case of the petitioner is that it was permitted by the competent authority, namely, National Council for Teacher Education, by fixing the intake capacity of '160' students; however, subsequently it was reduced to '125'. It is stated that though petitioner filed representation before the competent authority to increase the intake capacity to the original strength of '160', no steps are being taken.

When the matter is taken up for hearing, learned Standing Counsel for NCTE produced a copy of the order dated 19-04-2007, wherein it is stated that the application of the petitioner was considered by the Southern Regional Committee in the 126th meeting of the NCTE held during 20-02-2007 to 23-02-2007 and the request of the petitioner for restoration of the original intake capacity was rejected.

As much as the competent authority has already passed orders rejecting the request of the petitioner and the petitioner has an alternative remedy of appeal under the provisions of the National Council for Teacher Education Act, 1993 no further orders can be passed at this stage.

The Writ Petition is accordingly closed, keeping it open to the petitioner to question the validity of the order dated 19-04-2007, whereby its request was rejected.

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JUSTICE R. SUBHASH REDDY.

June 5, 2007
MRR